

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**SOPHIA ADMASSU**

**Plaintiff,**

**v.**

**Civil Action No.:**

**SPEEDWAY LLC**

**Defendant.**

**DEFENDANT SPEEDWAY LLC'S NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332 and 1441 *et seq.*, Defendant Speedway LLC ("Speedway"), by counsel, Pursuant to 28 U.S.C. §§ 1332 and 1441 *et seq.*, hereby removes to this Court the above-captioned action previously pending in the Circuit Court of Fairfax County, Virginia. In support thereof, Speedway states as follows:

1. On July 10, 2020, Plaintiff Sophia Admassu, through counsel, filed the case styled *Sophia Admassu v. Speedway LLC*, Case No. CL-2020-0009879, in the Circuit Court of Fairfax County, alleging that she slipped and fell on "accumulated moisture, rainwater and/or foreign substances" suffering "permanent bodily injury" while at the Speedway store located at 7100 Little River Turnpike, Annandale, Virginia.

2. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is being filed within thirty (30) days of receipt by Speedway of the initial pleading, the Summons and Complaint.

3. Speedway received service of process on April 28, 2021. Thus, fewer than thirty (30) days have passed since Speedway served with Plaintiff's Complaint and this notice is

therefore timely. A copy of Plaintiff's Complaint and all attachments are attached hereto as **Exhibit A**.

4. A copy of this notice has been served on Plaintiff and mailed this date to the Circuit Court of Fairfax County, Virginia. A copy of the notice provided to the state court (without exhibits) is attached hereto as **Exhibit B**.

5. On January 22, 2021, Plaintiff's attorney Jeremy Flachs was granted leave to withdraw as Plaintiff's counsel. On April 16, 2021, William Brock, IV filed a Notice of Appearance as counsel for Plaintiff in this matter. The Order and Notice are attached as **Exhibit C**.

6. Pursuant to 28 U.S.C. § 1332, complete diversity exists between Plaintiff and Speedway.

7. Plaintiff is a citizen of the Commonwealth of Virginia, residing at 5500 Holmes Run Parkway, Apt. 1618, Alexandria, Virginia.

8. As of the date the state court complaint was filed and as of the date of this Notice of Removal, Speedway LLC is a Delaware limited liability company with a principal place of business at 500 Speedway Drive, Enon, Clark County, Ohio. It has a sole member, MPC Investment LLC. MPC Investment LLC is a Delaware limited liability company with a sole member, Marathon Petroleum Corporation. Marathon Petroleum Corporation is a Delaware corporation with its principal place of business in Ohio. Therefore, for purposes of a diversity analysis, Speedway LLC is a citizen of the states of Delaware and Ohio.

9. Thus, complete diversity of citizenship existed at the time of the state court filing and at the time of this Notice of Removal, for purposes of 28 U.S.C. § 1332.

10. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. Pursuant to 28 U.S.C. § 1446(c)(2), “[i]f removal of a civil action is sought on the basis of the jurisdiction conferred by section 1332(a), the sum demanded in good faith in the initial pleading shall be deemed the amount in controversy.” Plaintiff’s Complaint contains an *ad damnum* seeking compensatory damages in the amount of \$500,000 plus costs, interest and prejudgment interest. (*See generally* Ex. A.) Plaintiff’s suit therefore satisfies the jurisdictional amount for federal diversity jurisdiction under 28 U.S.C. § 1332.

11. Because there is complete diversity of citizenship between the parties, and because the amount sought by Plaintiff and in controversy exceeds \$75,000, this suit is one over which this Court enjoys original jurisdiction pursuant to 28 U.S.C. § 1332. Thus, Speedway hereby removes Plaintiff’s suit to this Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

SPEEDWAY LLC

By: /s/ Matthew J. Hundley  
Counsel

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*Counsel for Defendant Speedway LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of May, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I hereby certify that I have mailed by United States Postal Service and electronic mail the document to the following:

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SPEEDWAY LLC

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